

HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 7239 (MS) of 2001
(Old No. 15209/1995)

Sukhdev Singh

..... Petitioner

Vs

District Magistrate
Dehradun and others

..... Respondents

Counsel for the petitioner Sh. Rakesh Thapliyal
Standing Counsel for the respondent.

Dated:- 7-8-2004

Hon'ble Rajesh Tandon J.

Heard Sh. Rakesh Thapliyal learned counsel for the petitioner and Standing Counsel for the respondents.

By the present writ petition the petitioner has prayed for quashing the order dt. 28-4-1994, annexure-7 to the writ petition and the order dt. 3-5-1994 passed by the respondent no. 2 for restoration of possession.

Brief facts giving rise to the present writ petition are that the writ petition was filed as back as in the year 1995. Since the order of allotment has been passed in favour of the respondent No.4, the remedy lies of file a revision under Section 18 of the U.P. Act No. 13 of 1972. Since the alternative remedy is available to the petitioner by filing the revision, the petitioner may approach to the revisional court by filing the revision.

Liberty is given to the petitioner of file the revision alongwith the application under Section 5 of the limitation Act. The same shall be considered by the revisional authority. The revision is directed to be decided expeditiously.

In view of the above, the writ petition is dismissed on the ground of alternative remedy. No order as to costs.

Dated:-7-8-2004
M.K.

(RAJESH TANDON J.)